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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,602	07/30/2003	Kristian Hammond	3718262-00013	6135
24573	7590	02/01/2010	EXAMINER	
K&L Gates LLP P.O. Box 1135 CHICAGO, IL 60690			TRUONG, CAMQUY	
			ART UNIT	PAPER NUMBER
			2195	
			MAIL DATE	DELIVERY MODE
			02/01/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/629,602	Applicant(s) HAMMOND ET AL.	
	Examiner CAMQUY TRUONG	Art Unit 2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,6,8-12,33-38,40,41 and 43-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5-6, 8-12, 33-38, 40-41 and 43-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 5-6, 8-12, 33-38, 40-41 and 43-52 are presented for examination.
Claims 2-4, 7, 13-32, 39 and 42 have been cancelled.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after the final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/12/09 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 10-12, 33, 37-38, 45-48 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celis et al. (U.S. Patent 6,021,405) in view of Hussam (U.S. 2003/0050927).**

4. As to claims 1, and 38, Celis teaches the invention as claimed include: a method or formulating context representations, the method comprising:

determining an active task being performed by the user via the computer application (col. 21, line 51 - col. 22, line 9).

selecting at least one transformation rule being selected base on the plurality of transformation rules, the at least one transformation rule being selected base on the plurality of text items and the active task (the guidance structures an enable method, match functions, promise functions, cutoff methods, and guidance methods are utilized in determining which rules that are to be applied to a particular expression (text item), col. 20, line 65 – col. 21, line 13; col. 15, lines 1-22);

generating the context representation by applying the at least one transformation rule to the at least one keyword (plan are generated through the application of rules for one or more expressions (keyword), col. 15, lines 28-30 / generating a context for an expression input query with selected required physical properties , col. 14, lines 27-31, lines 46- 57; col. 22, lines 40-54; col. 24, lines 13-61), the transformation rule causing the at least one keyword to be replaced by another keyword (Guidance is provided during this phase in order to eliminate the generation of unnecessary logical expressions in light of previous transformations, col. 15, lines 35-40; col. 17, lines 40-50; col. 22, lines 40-54); and

storing the context representation in a computer readable media (col. 15, lines 54-65).

5. Celis does not explicitly teach selecting at least one keyword from plurality of text items associated with a computer application being manipulated by a user. However, Hussam teaches selecting at least one keyword from a plurality of text items associated with a computer application being manipulated by a user (paragraph 77).

6. It would have been obvious to one of ordinary skill in the art at the time the invention was made that to incorporate the teaching of selecting at least one keyword from a plurality of text items associated with a computer application being manipulated by a user as taught by Hussam because this would retrieve the information more accurate without requiring additional effort.

7. As to claims 10, and 45, Celis teaches transforming the context representation based on a user input related to a trait of search (col. 4, line 66 – col. 5, line 12).

8. As to claims 11-12, and 46-47, Hussam teaches determining an information source on which an information search should be conducted based on at least one of the active task (paragraphs 82 and 129).

9. As to claims 33, and 48, Celis teaches submitting a database query based on the context representation (col. 12, lines 39-44).

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10. As to claims 37, and 52, Celis teaches the at least one transformation rule is selected based on the plurality of text items, the active task, a first property associated with computer application, and the second property associated with the user (col. 17, lines 20-30; col. 20, lines 56-64).

11. Claims 8-9, 36, 43-44 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celis et al. (U.S. Patent 6,021,405) in view of Hussam (U.S. 2003/0050927), as applied to claims 1 and 38 above, and further in view of Al-omari et al. (U.S. 6,205, 441).

12. As to claims 8-9, and 43-44, Celis and Hussam do not explicitly teach the active task is determined based on an indication provided by the user. However, Al-omari teaches the active task is determined based on an indication provided by the user (col. 8, lines 45-66).

13. It would have been obvious to one of ordinary skill in the art at the time the invention was made that to modify the teaching of Celis and Hussam to incorporate the teaching of active task is determined based on an indication provided by the user as taught by Al-omari because this allow to provide an execution strategy that causes the result of the query to be produced in the most efficient.

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14. As to claims 36, and 51, Al-omari teaches the active task is a multi-step active task and the computer application includes an identifier of a particular step in the multi-step active task (col. 8, lines 45-54).

15. Claims 5-6, 34-35, 40-41, 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celis et al. (U.S. Patent 6,021,405) in view of Hussam (U.S. 2003/0050927), as applied to claims 1, and 38 above, and further in view of August et al. (U.S. Patent 6,647,383 B1).

16. As to claims 5, and 40, Celis and Hussam do not explicitly teach teaches the application software is an e-mail application. However, August teaches the application software is an e-mail application (col. 26, lines 54-56).

17. It would have been obvious to one of ordinary skill in the art at the time the invention was made that to modify the teaching of Celis and Hussam to incorporate the teaching of application software is an e-mail application as taught by Martin because this would improve in information search engines to eliminate or reduce the difficulties, and to satisfy the needs, are desired.

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18. As to claims 6, and 41, Celis teaches the at least one transformation rule includes eliminating text included in a signature section of the e-mail application (col. 19, line 63 – col. 20, line 30).

19. As to claims 34-35, and 49-50, August teaches the computer application includes a web browser, and a type of content associated with the web browser is electronic mail (col. 18, lines 51-54; col. 26, lines 54-56).

Response to the argument

20. Applicant's arguments filed 1/14/2010 for claims 1, 5-6, 8-12, 33-38, 40-41 and 43-52 have been considered but are moot in view of the new ground(s) rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAMQUY TRUONG whose telephone number is (571)272-3773. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng Ai An can be reached on (703)305-9678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/
Supervisory Patent Examiner, Art Unit 2195

Camquy Truong
January 29, 2010